

REMARKS

Claims 1-7 and 9 are pending in this application. By this Amendment, claims 1, 6 and 9 are amended to even further distinguish over the applied references. Support for the amendment can be found, for example, on page 6, line 22 to page 8, line 2 of the specification. Claims 2 and 3 are amended to correct minor informalities and claim 8 is canceled without prejudice to or disclaimer of the subject matter recited therein. No new matter is added. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

I. Information Disclosure Statement

The Examiner is requested to consider the references listed in the attached Information Disclosure Statement and return to Applicant's undersigned representatives a fully initialed PTO Form 1449 with the next Patent Office communication.

II. Objection to Claim 2

The Office Action objects to claim 2 because of a minor informality. The objection is obviated by the amendment to claim 2. Thus, it is respectfully requested that the objection be withdrawn.

III. 35 U.S.C. §112, Second Paragraph, Rejection

The Office Action rejects claim 3 under 35 U.S.C. §112, second paragraph. Claim 3 is amended to obviate the rejection. Thus, it is respectfully requested that the rejection be withdrawn.

IV. 35 U.S.C. §101 Rejection

The Office Action rejects claim 8 under 35 U.S.C. §101. The rejection is rendered moot by the cancellation of claim 8.

V. 35 U.S.C. §102(b) Rejection

The Office Action rejects claims 1, 2, 4 and 6-9 under 35 U.S.C. §102(b) over Hirai et al. (Hirai), U.S. Patent App. Pub. No. 2001/0003557 A1. The rejection of claim 8 is moot. The rejection of claims 1, 2, 4, 6, 7 and 9 is respectfully traversed.

Hirai does not disclose or suggest a plurality of small areas with each small area consisting of a plurality of pixels, combined with the other features, recited in independent claims 1, 6 and 9.

The Office Action asserts that Hirai discloses a colorimetry system corresponding to the claimed image information generating part that divides the original image into sections (see Figs. 4B and 23; paragraphs [0005], [0044] and [0124]). As shown in Figs. 4B and 23, Hirai discloses a configuration divided into six photometry areas A00-A05. However, each of these photometry areas constitutes only one pixel. In contrast, each of the small areas recited in independent claims 1, 6 and 9 consists of a plurality of pixels. Because Hirai fails to disclose or suggest a plurality of small areas with each small area consisting of a plurality of pixels, claims 1, 6 and 9 are patentable over Hirai for at least this reason.

Because claims 2, 4 and 7 incorporate the features of independent claims 1 and 6, these claims are patentable over Hirai for at least these reasons, as well as for the additional features these claims recite. Thus, it is respectfully requested that the rejection be withdrawn.

VI. 35 U.S.C. §103(a) Rejections

The Office Action rejects claim 3 under 35 U.S.C. §103(a) over Hirai in view of Kita, U.S. Patent App. Pub. No. 2002/0051569 A1; and rejects claim 5 under 35 U.S.C. §103(a) over Hirai in view of Kimura, U.S. Patent No. 6,333,792 B1. The rejections are respectfully traversed.

Because claims 3 and 5 incorporate the features of claim 1, and because Kita and Kimura fail to overcome the deficiencies of Hirai, these claims also are patentable over the

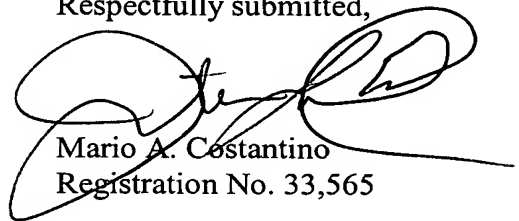
applied references for at least these reasons, as well as for the additional features claims 3 and 5 recite. Thus, it is respectfully requested that the rejections be withdrawn.

VII. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7 and 9 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Information Disclosure Statement
Petition for Extension of Time

Date: October 25, 2007

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